

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA, §
Plaintiff §
§
v. § NO. 2:11-CV-214-J
§
Real Property located at 4801 Aberdeen §
Parkway, Amarillo, Texas; §
§
2003 BMW X5, VIN 5UXFA53593LV90017; §
§
and 2006 Pontiac GT Sedan, §
VIN 1G2ZH558364227961, §
Defendants *In Rem.* §

STIPULATION OF FORFEITURE

The Plaintiff United States of America ("the Government") and Claimant FirstBank Southwest ("the Bank") agree as follows:

1. Based on the distinct facts and circumstances of this case, the government recognizes the Bank's valid interest in the residence pursuant to 21 U.S.C. § 853(n)(6). In settlement, the Bank agrees to pay and the government agrees to accept \$194,446.84 in exchange for the government's interest in the residence. The Bank shall pay \$194,446.84 to the government in the form of a cashier's check (payable to the United States Marshals Service) within five business (5) days from the filing of this Stipulation. The Bank agrees the funds (\$194,446.84) will be forfeited to the government pursuant to 18 U.S.C. § 981(a).

2. In exchange for the aforementioned payment and its forfeiture, the government will cease the forfeiture action against the residence and will release its Lis Pendens concerning this suit and the residence filed in the county records.

3. In consideration, the Bank releases and holds harmless the government and any agents, employees, and servants of the government (and any state or local law enforcement agencies and their agents, servants, or employees), acting in their official or individual capacities from any and all claims by them and their agents that currently exist or which may arise as a result of the government's forfeiture action(s) against or relating to the defendant property, including a petition for remission.

4. The drafting and submission of the final judgment of forfeiture (and its accompanying motion) will be completed by the government.

5. The government and the Bank will bear their own costs.

STIPULATED AND AGREED:

SARAH R. SALDAÑA
UNITED STATES ATTORNEY

JOHN J. DE LA GARZA III
Assistant United States Attorney

WILL MILLER
Executive Vice President
FirstBank Southwest

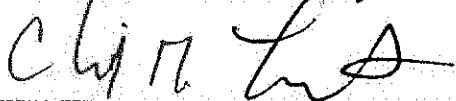
CLINT LATHAM
Attorney for FirstBank Southwest

2. In exchange for the aforementioned payment and its forfeiture, the government will cease the forfeiture action against the residence and will release its Lis Pendens concerning this suit and the residence filed in the county records.
3. In consideration, the Bank releases and holds harmless the government and any agents, employees, and servants of the government (and any state or local law enforcement agencies and their agents, servants, or employees), acting in their official or individual capacities from any and all claims by them and their agents that currently exist or which may arise as a result of the government's forfeiture action(s) against or relating to the defendant property, including a petition for remission.
4. The drafting and submission of the final judgment of forfeiture (and its accompanying motion) will be completed by the government.
5. The government and the Bank will bear their own costs.

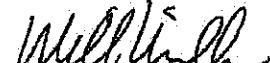
STIPULATED AND AGREED:

SARAH R. SALDAÑA
UNITED STATES ATTORNEY

JOHN J. DE LA GARZA III
Assistant United States Attorney



CLINT LATHAM
Attorney for FirstBank Southwest



WILL MILLER
Executive Vice President
FirstBank Southwest

CERTIFICATE OF SERVICE

I certify that on March 10, 2012 I electronically filed this document with the Clerk for the United States District Court, Northern District of Texas, using the electronic case filing ("ECF") system. The ECF system will send a "Notice of Electronic Filing" to all parties/counsel for record who have consented in writing to accept the Notice as service of this document by electronic means.

/s/ John J. de la Garza III
Assistant United States Attorney